

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Sylvia Parker and Donald Parker,)	
)	C.A. No. 6:07-987-HMH
Plaintiffs,)	
)	OPINION AND ORDER
vs.)	
)	
Greenville County, South Carolina;)	
Greenville County Sheriff's Office;)	
Greenville County Department of)	
Health & Environmental Control (DHEC);)	
John Cobb, individually and as employee)	
of Department of Health and)	
Environmental Control;)	
Ben Forester, individually;)	
Sergeant Brewer, individually; Sergeant)	
Jim Burriss, individually;)	
and Captain Westmoreland, individually,)	
)	
Defendants.)	

This matter is before the court on the Defendants' motion for summary judgment. In response to the Defendants' motion for summary judgment, the Plaintiffs concede that they are "unable to demonstrate a 'clear Constitutional right was violated'" and therefore agree to dismissal of their second cause of action. (Pls.' Mem. Opp'n Summ. J. 1.) The only remaining claim against the Defendants is pursuant to the South Carolina Tort Claims Act. However, the court declines to exercise supplemental jurisdiction over this remaining state law claim. See 28 U.S.C. § 1367(c)(3).

It is therefore

ORDERED that Plaintiffs' second cause of action is dismissed with prejudice. It is further

ORDERED that the court instructs the Clerk of Court to remand the remaining claim to the Court of Common Pleas for the State of South Carolina.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
United States District Judge

Greenville, South Carolina
November 6, 2007